

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 ONY-00 NEAE-00 SS-15 SSO-00 /026 W
-----124745 291247Z /44-R
O 291130Z JUN 77
FM AMEMBASSY KABUL
TO SECSTATE WASHDC IMMEDIATE 3324

C O N F I D E N T I A L SECTION 1 OF 2 KABUL 4515

E. O. 11652: GDS
TAGS: SHUM, AF
SUBJECT: HUMAN RIGHTS: COUNTRY EVALUATION PLAN FOR
AFGHANISTAN

REF: STATE 134713

1. THE EMBASSY AGREES WITH THE GENERAL THRUST AND
TONE OF THE DEPARTMENT'S INITIAL DRAFT CEP FOR
AFGHANISTAN, BUT WOULD LIKE TO PRESENT FOR CONSIDERA-
TION THE FOLLOWING COMMENTS AND SUGGESTIONS, WHICH
ARE KEYED TO THE DRAFT'S OUTLINE:

2. THE SECOND SENTENCE OF SECTION A-1 SHOULD READ:
"BECAUSE OF THE EXTREMELY TRADITIONALIST NATURE OF
THIS SOCIETY, THE HISTORIC RECORD OF OBSERVANCE FOR
THESE RIGHTS IN AFGHANISTAN HAS BEEN UNEVEN, AT
BEST, AND IT IS STILL TOO SOON TO GAIN ANY FIRM IN-
DICATION OF HOW THEY WILL BE OBSERVED BY THE CURRENT
REGIME UNDER THE NEW CONSTITUTION."

3. PARAGRAPH ONE OF SECTION A-2 SHOULD READ: "RESPECT
FOR CIVIL AND POLITICAL LIBERTIES: THE RIGHTS OF FREE-
DOM OF THOUGHT, RELIGION, AND ASSEMBLY HAVE TRADITIONALLY
BEEN CIRCUMSCRIBED IN AFGHANISTAN THROUGH DIRECT
AND INDIRECT MEANS. THE PRESS IS GOVERNMENT-
OWNED, BUT DISPLAYS SOME INCREASING DEGREES,
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ALBIET MODEST, OF PROFESSIONALISM; AFGHAN
CITIZENS ARE EXPECTED TO ADHERE TO ISLAM, THE
DESIGNATED NATIONAL RELIGION; AND POLITICAL
ASSEMBLY IS GENERALLY PERMITTED ONLY IN SUPPORT
OF THE GOVERNMENT."

4. THE LAST TWO SENTENCES OF THE FIRST PARAGRAPH

OF A-3 SHOULD READ: "THE GOVERNMENT OF AFGHAN-
ISTAN HAS CONSISTENTLY SUPPORTED PRINCIPLES OF
HUMAN RIGHTS IN INTERNATIONAL ORGANIZATIONS --
AND HAS CONDEMNED VIOLATIONS OF HUMAN RIGHTS
IN CERTAIN REGIONS, SUCH AS SOUTH AFRICA (AS
A SMALL NEUTRAL STATE LIVING NEXT TO ONE OF THE
GREATEST VIOLATORS OF HUMAN RIGHTS, AFGHANISTAN
MUST BE SELECTIVE IN VOICING ADMONITIONS).
ALTHOUGH THE REGIME HAS NOW COMMITTED ITSELF
PUBLICLY THROUGH ITS NEW CONSTITUTION TO THE
ENSURING OF SUCH RIGHTS FOR ITS OWN PEOPLE, THE
PRACTICAL LIMITATIONS OF CONSERVATIVE TRADITION-
ALISM, VARYING DEGREES OF REGIONAL AUTONOMY
WHICH LIMIT THE CENTRAL GOVERNMENT'S FIAT, AND
THE GRINDING POVERTY IN THIS VERY UNDER-DEVELOPED
COUNTRY ARE OBSTACLES WHICH MIGHT DELAY THE
REALIZATION OF THESE GOALS."

5. ADDITIONAL SENTENCES SHOULD BE ADDED AT
THE END OF THE SECOND PARAGRAPH OF A-3: "IT
IS WORTH NOTING THAT THE PUSHTUN LEADERSHIP
IS NOW ENDEAVORING TO ENLIST TALENT FROM THE
OTHER ETHNIC GROUPS FOR THE MODERNIZATION OF
THE COUNTRY. THIS HAS RESULTED IN INCREASED
EDUCATIONAL OPPORTUNITIES FOR THESE MINORITIES,
IT IS ALSO SIGNIFICANT THAT THE OTHER ETHNIC
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GROUPS ARE BEING ENCOURAGED -- WITH SOME
SUCCESS -- TO IDENTIFY THEMSELVES AS "AFGHANS,"
A TERM WHICH WAS PREVIOUSLY RESERVED AS A SYNONYM
FOR THE PUSHTUNS (WHO ARE ALSO KNOWN AS PATHANS)."

6. SECTION A-4 SHOULD READ: "FOLLOWING THE 1973
COUP, A SIZEABLE NUMBER OF PERSONS WERE PLACED
IN PRISON WITHOUT PUBLIC TRIAL. A NUMBER OF THESE
WERE REPORTED TO HAVE BEEN TORTURED, AS THE CURRENT
WHEREABOUTS OF A FEW ARE STILL UNKNOWN. AS THE
REGIME HAS GAINED CONTROL AND CONFIDENCE THOUGH,

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FM AMEMBASSY KABUL

TO SECSTATE WASHDC 3325 IMMEDIATE

C O N F I D E N T I A L SECTION 2 OF 2 KABUL 4515

E.O. 11652: GDS

TAGS: SHUM, AF

SUBJ: HUMAN RIGHTS: COUNTRY EVALUATION PLAN FOR AFGHANISTAN

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SUCH SECURITY MEASURES HAVE BEEN RELAXED TO SOME DEGREE. THE MAJORITY OF THOSE ARRESTED AT THE TIME OF THE 1973 COUP HAVE SINCE BEEN RELEASED, BUT THERE HAVE BEEN SOME DOZENS ARRESTED IN CONNECTION WITH SUBSEQUENT COUNTER-COUPS (OCCASIONALLY UNDER OTHER CHARGES, SUCH AS CORRUPTION IN OFFICE). MARTIAL LAW HAS BEEN TERMINATED, AND A NEW CABINET INSTALLED. A NEW CONSTITUTION WAS RATIFIED ON FEBRUARY 1977, BY THE LOYA JIRGAH ("GRAND CONSTITUENT ASSEMBLY"). A COMPREHENSIVE PENAL CODE CONTAINING SPECIFIC GUARANTEES OF HUMAN RIGHTS HAS BEEN PREPARED TO REPLACE THE EARLIER MIXTURE OF ISLAMIC JURISPRUDENCE, CUSTOM, AND STATUTORY LAW. ELECTIONS TO A NEW NATIONAL ASSEMBLY ARE SCHEDULED TO BE HELD PRIOR TO THE SCHEDULED CONVENING OF THAT ASSEMBLY ON NOVEMBER 22, 1979."

7. THE FIRST SENTENCE OF SECTION B-1 SHOULD READ: "A NEW AFGHAN AMBASSADOR HAS RECENTLY ARRIVED IN WASHINGTON, AND IS EXPECTED TO PRESENT HIS CREDENTIALS SHORTLY."

8. THE THIRD PARA OF B-1 SHOULD READ: "THE AFGHAN GOVT REGARDS THE NATION'S GRINDING POVERTY AS A MAJOR IMPEDIMENT TO THE IMPLEMENTATION OF FULL HUMAN RIGHTS, WHICH DO NOT HAVE MUCH CONFIDENTIAL

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REAL MEANING FOR PEOPLE Eeking OUT A MERE SUBSISTENCE-LEVEL EXISTENCE. THE DAOUD GOVT HAS SET ECONOMIC DEVELOPMENT AS ITS MAIN GOAL, HOPING THAT THAT DEVELOPMENT WILL ASSIST IN THE CREATION OF A MORE MODERN AND EQUITABLE SOCIETY -- GIVING ALL AFGHANS A MEANINGFUL STAKE IN THE NATION. THE U.S. IS ASSISTING IN THIS PROCESS, CONTRIBUTING APPROX TWENTY MILLION DOLLARS IN ECONOMIC AID ANNUALLY. AS WE PROCEED TO IMPLEMENT FURTHER AID AGREEMENTS WITH THE AFGHAN GOVT, WE SHOULD MAKE IT CLEAR THAT WE EXPECT TO SEE CONTINUED PROGRESS IN THE HUMAN RIGHTS FIELD."

9. THE LAST PHRASE OF THE FOURTH PARA OF SECTION B-1 SHOULD READ: "WE ARE EXPLORING ALTERNATIVE MEANS OF ASSISTING THE AFGHAN JUDICIAL SYSTEM," DELETING "AND PERHAPS EXAMINE" TO END OF PARA.

10. SECTION B-2 SHOULD READ: "TO THE EXTENT THAT WE ARE ABLE TO ENCOURAGE THE AFGHAN GOVT, IN A SELECTIVE AND POSITIVE FASHION, TO CONTINUE TO SHOW INCREASED REGARD FOR HUMAN RIGHTS, THEY ARE LIKELY TO PROVE RECEPTIVE. MOST MEMBERS OF THE AFGHAN LEADERSHIP HAVE BEEN EDUCATED ABROAD AND HAVE HAD EXTENSIVE CONTACT WITH ADVANCED, DEMOCRATIC SOCIETIES. THEY APPEAR EAGER TO DEMONSTRATE THEIR BONA FIDES AS A RESPONSIBLE, MODERNIZING STATE TO THE OUTSIDE WORLD -- AND ARE WELL AWARE OF THE INTERNATIONAL INTEREST IN HUMAN RIGHTS. IF, ON THE OTHER HAND, THE PROUD, INDEPENDENT, AND SOMEWHAT XENOPHOBIC AFGHANS WERE TO PERCEIVE THIS ENCOURAGEMENT AS MEDDLING IN THEIR INTERNAL AFFAIRS -- OR AS DEMANDS BEYOND THEIR CURRENT CAPACITY -- THEY WOULD BE LIKELY TO RESIST AND SHOW RESENTMENT."

11. THE LAST SENTENCE OF B-3 SHOULD READ: "IT SHOULD BE POSSIBLE, HOWEVER, TO BE EFFECTIVE -- WITHOUT GIVING UNDUE CONFIDENTIAL

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OFFENSE -- IN URGING THE AFGHANS TO FULFILL THOSE SATISFACTORY HUMAN RIGHTS GOALS THEY THEMSELVES HAVE PROCLAIMED IN THEIR NEW CONSTITUTION AND OTHER LEGISLATION."
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